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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/582,731

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Ulrich Schlatter

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BACHMAN & LAPOINTE, P.C.

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SUITE 1201

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EXAMINER

WOLFE, DEBRA M

ART UNIT

PAPER NUMBER

3725

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/582,731	Applicant(s) SCHLATTER, ULRICH	
	Examiner DEBRA M. WOLFE	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-17 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/29/2007</u> . | 6) <input type="checkbox"/> Other: _____ |



DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 8-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 8-10 contains limitations directed to a product claim and do not further limit the method for production of a thin-walled part. Claims 11-14 are improper since these claims are directed to an apparatus claim that depends from a method claim. With regards to claims 15-17, these claims are directed to a product and do not further limit the structure of the device claims from which it depends from. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-7 and 11-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Nagamori (US Patent # 5,678,444). Nagamori discloses a method of producing a thin-walled part in which a strip (A-0) of material is clamped between a clamping plate with a cavity and a guide



plate to guide a drawing die, and a contour for the part is drawn by the drawing die in the cavity in the clamping plate, after which cutting of an inner contour (A-2) followed by ironing of a wall area of the part between the inner contour and the rest of the strip of material takes place (A-3) and then an outer contour of the part is cut from the strip of material and the part is ejected [See col. 3 lines 35-44; col. 4 lines 48-61 & col. 5 lines 13-23; FIGS 1, 3-6].

In reference to claim 2, the wall of the part is bent at an angle from the strip of material (A-0) by the drawing die, as seen in step 2 of figure 1.

In reference to claim 3, the thickness of the wall of the part in relation to the thickness of the strip of material (A-0) is reduced by the drawing die [It is noted that it is well known in the art that deep drawing causes the thickness of the material being drawn into the cavity to be reduced].

In reference to claim 4, Nagamori further discloses in conjunction with ironing of the part, its wall area is formed by about 90 degrees in relation to the strip of material, as seen in figure 1 step 6.

In reference to claim 5, in conjunction with ironing of the part, its wall thickness is reduced in relation to the thickness of the strip of material [See col. 4 lines 55-62].

In reference to claim 6, the part is further calibrated after parting from the strip (A-0) [See col. 5 lines 24-30].

In reference to claim 11, Nagamori discloses a device for cutting the inner contour comprising of a cutting die that is guided in a further guide plate with an inclined pressure wall makes contact with the wall area of the part so that the latter is held between the pressure wall and a supporting surface of a clamping plate [See col. 4 lines 48-55].



In reference to claim 12, Nagamori discloses a device for ironing a wall area of a part comprising of a drawing die that is guided in a guide plate and a clamping plate exhibits a corner bead to receive the wall area [See col. 4 lines 55-62].

In reference to claim 13, Nagamori discloses a device for cutting an outer contour of a part comprising of a cutting die (13) with a cutting edge is guide relative to a guide plate, in conjunction with which the cutting die (13) exhibits an indentation between which an opening wall of the clamping plate the wall of the part is present [See col. 5 lines 13-23].

In reference to claim 14, the guide plate is provided with a knife-edged ring, as seen in figure 1 step 6.

Allowable Subject Matter

Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra Wolfe whose telephone number is (571) 272-1904. The examiner can normally be reached Monday - Thursday 7am - 4:30pm with alternating Friday 7am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached at (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Debra M Wolfe/
Examiner, Art Unit 3725
/Derris H Banks/
Supervisory Patent Examiner, Art Unit 3725